

D.B. CIVIL SPECIAL APPEAL NO.86/2007

Date:- 01.08.2007

HON'BLE MR. RAJESH BALIA,J.
HON'BLE MAHESH CHANDRA SHARMA,J.

Mr. A.S.Rathore, for the appellant.

Heard learned counsel for the appellant. This appeal is directed against the order of learned Single Judge dismissing the Sales Tax Revision for non-removal of the defects within the time allowed and, also thereafter, the application for restoration in Civil Restoration Application No.21/05 the matter has been dismissed before issuance of notice as no one has appeared.

Having considered the application, we are of the opinion that application for restoration ought not to have been dismissed by learned Single Judge. Accordingly order under appeal, dismissing the restoration application, is set aside.

The appeal is allowed and SB Sales Tax Revision No. 4879/03 DR(J) is restored to its original number in which defects No. 1,2 & 4 have already been removed and remaining defects No. 3,5 & 6 are over ruled. Thus, the revision may now be registered regularly and office may proceed further.

(MAHESH CHANDRA SHARMA),J. (RAJESH BALIA),J.